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(Original Signature of Member)

113TH CONGRESS  
1ST SESSION

# H. R.

To provide for an increase in the Federal minimum wage.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. GEORGE MILLER of California introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To provide for an increase in the Federal minimum wage.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair Minimum Wage  
5 Act of 2013”.

6 **SEC. 2. MINIMUM WAGE INCREASES.**

7 (a) MINIMUM WAGE.—

8 (1) IN GENERAL.—Section 6(a)(1) of the Fair  
9 Labor Standards Act of 1938 (29 U.S.C. 206(a)(1))

10 is amended to read as follows:

1           “(1) except as otherwise provided in this sec-  
2           tion, not less than—

3                   “(A) \$8.20 an hour, beginning on the first  
4                   day of the third month that begins after the  
5                   date of enactment of the Fair Minimum Wage  
6                   Act of 2013 Act;

7                   “(B) \$9.15 an hour, beginning 1 year after  
8                   that first day;

9                   “(C) \$10.10 an hour, beginning 2 years  
10                  after that first day; and

11                  “(D) beginning on the date that is 3 years  
12                  after that first day, and annually thereafter, the  
13                  amount determined by the Secretary pursuant  
14                  to subsection (h);”.

15           (2) DETERMINATION BASED ON INCREASE IN  
16           THE CONSUMER PRICE INDEX.—Section 6 of the  
17           Fair Labor Standards Act of 1938 (29 U.S.C. 206)  
18           is amended by adding at the end the following:

19           “(h)(1) Each year, by not later than the date that  
20           is 90 days before a new minimum wage determined under  
21           subsection (a)(1)(D) is to take effect, the Secretary shall  
22           determine the minimum wage to be in effect pursuant to  
23           this subsection for the subsequent 1-year period. The wage  
24           determined pursuant to this subsection for a year shall  
25           be—

1           “(A) not less than the amount in effect under  
2           subsection (a)(1) on the date of such determination;

3           “(B) increased from such amount by the annual  
4           percentage increase in the Consumer Price Index for  
5           Urban Wage Earners and Clerical Workers (United  
6           States city average, all items, not seasonally ad-  
7           justed), or its successor publication, as determined  
8           by the Bureau of Labor Statistics; and

9           “(C) rounded to the nearest multiple of \$0.05.

10          “(2) In calculating the annual percentage increase in  
11 the Consumer Price Index for purposes of paragraph  
12 (1)(B), the Secretary shall compare such Consumer Price  
13 Index for the most recent month, quarter, or year avail-  
14 able (as selected by the Secretary prior to the first year  
15 for which a minimum wage is in effect pursuant to this  
16 subsection) with the Consumer Price Index for the same  
17 month in the preceding year, the same quarter in the pre-  
18 ceding year, or the preceding year, respectively.”.

19          (b) BASE MINIMUM WAGE FOR TIPPED EMPLOY-  
20 EES.—Section 3(m)(1) of the Fair Labor Standards Act  
21 of 1938 (29 U.S.C. 203(m)(1)) is amended to read as fol-  
22 lows:

23           “(1) the cash wage paid such employee, which  
24           for purposes of such determination shall be not less  
25           than—

1           “(A) for the 1-year period beginning on  
2           the first day of the third month that begins  
3           after the date of enactment of the Fair Min-  
4           imum Wage Act of 2013, \$3.00 an hour;

5           “(B) for each succeeding 1-year period  
6           until the hourly wage under this paragraph  
7           equals 70 percent of the wage in effect under  
8           section 6(a)(1) for such period, an hourly wage  
9           equal to the amount determined under this  
10          paragraph for the preceding year, increased by  
11          the lesser of—

12                   “(i) \$0.95; or

13                   “(ii) the amount necessary for the  
14                   wage in effect under this paragraph to  
15                   equal 70 percent of the wage in effect  
16                   under section 6(a)(1) for such period,  
17                   rounded to the nearest multiple of \$0.05;  
18                   and

19          “(C) for each succeeding 1-year period  
20          after the year in which the hourly wage under  
21          this paragraph first equals 70 percent of the  
22          wage in effect under section 6(a)(1) for the  
23          same period, the amount necessary to ensure  
24          that the wage in effect under this paragraph re-  
25          mains equal to 70 percent of the wage in effect

1 under section 6(a)(1), rounded to the nearest  
2 multiple of \$0.05; and”.

3 (c) PUBLICATION OF NOTICE.—Section 6 of the Fair  
4 Labor Standards Act of 1938 (as amended by subsection  
5 (a)) (29 U.S.C. 206) is further amended by adding at the  
6 end the following:

7 “(i) Not later than 60 days prior to the effective date  
8 of any increase in the minimum wage determined under  
9 subsection (h) or required for tipped employees in accord-  
10 ance with subparagraph (B) or (C) of section 3(m)(1), as  
11 amended by the Fair Minimum Wage Act of 2013, the  
12 Secretary shall publish in the Federal Register and on the  
13 website of the Department of Labor a notice announcing  
14 the adjusted required wage.”.

15 (d) EFFECTIVE DATE.—The amendments made by  
16 subsections (a) and (b) shall take effect on the first day  
17 of the third month that begins after the date of enactment  
18 of this Act.